

**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8**

To: UNITED STATES PATENT AND TRADEMARK OFFICE

Fax No.: 703-746-6897

**Examiner T. Criares, Group Art Unit 1617, Tel. No. (703) 308-4607**

From: Marlana K. Titus

Nash &amp; Titus, LLC

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Date: April 3, 2002

For patent application:

Serial no.: 09/478,822 (reissue application of U.S. Patent No. 5,705,197)

Title: Hybrid Solvent Evaporation-Extraction Process for Producing PLGA  
Microspheres

Reissue Filed: January 6, 2000

Attorney docket no.: Army104

**TRANSMISSION: Documents transmitted:**

- (1) Copy of March 30, 2001 Combined Amendment Transmittal Letter and Petition for Extension of Time
- (2) Copy March 30, 2001 Response
- (3) Copy of March 30, 2001 Information Disclosure Statement and Form PTO-1449
- (4) Copy of date-stamped postcard receipt listing all items mailed on March 30, 2001
- (5) Copy of July 2, 2001 Letter in Response to Notice of Abandonment
- (6) Copy of July 2, 2001 maintenance fee transmittal form
- (7) Copy of date-stamped postcard receipt listing all items mailed on July 2, 2001

Number of pages (including this page): **215****NOTE: If a petition fee or any other type of fee is required to process this paperwork, please charge Deposit Account No. 21-0380, for which purpose a duplicate copy of this page is submitted.****PLEASE ACKNOWLEDGE CLEAR RECEIPT OF ALL PAGES INDICATED ABOVE BY FAXING THIS PAGE BACK TO (301) 924-5883 or CALLING (301) 924-9600. IF YOU DO NOT RECEIVE CLEARLY ALL PAGES, PLEASE CONTACT US IMMEDIATELY BY TELEPHONE AT (301) 924-9600****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being transmitted by facsimile to the United States Patent and Trademark Office on the date shown below.

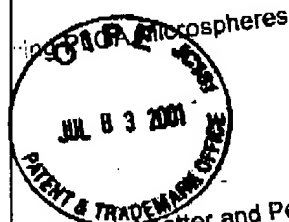
Name: Marlana K. TitusSignature: Date: April 3, 2002

## RECEIVED IN THE FOLLOWING PATENT APPLICATION:

Application of U.S. Serial No.: 09/478,822  
Inventors: van Hamont et al.  
Title: Hybrid Solvent Evaporation-Extraction Process for Pro  
Filed: January 6, 2000  
Attorney Docket No.: Army-104

The following was filed via First Class Mail on July 2, 2001:

- (1) Maintenance fee transmittal form (1 page, in duplicate)
- (2) Letter in Response to Notice of Abandonment (2 pages)
- (3) Copy of filing of March 30, 2001 (Combined Amendment  
for Extension of Time, Response, Information Disclosure  
Form PTO-1449)
- (4) Self-addressed postcard receipt listing all enclosures



Transmittal Letter and Petition  
Amendment transmittal sheet, and

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: PATENT APPLICATION of  
Inventor(s) Van Hamont, et al.

Appln. No.: 08/698,896 (U.S. Patent No. 5,705,197)  
Issued January 1, 1998

Group Art Unit: 1617

Reissue Filed: January 6, 2000

Examiner: T. Criares

Title: HYBRID SOLVENT EVAPORATION-EXTRACTION PROCESS FOR  
PRODUCING PLGA MICROSPHERES

Date: July 2, 2001

**LETTER IN RESPONSE TO NOTICE OF ABANDONMENT**

Hon. Commissioner of Patents and Trademarks  
Washington, DC 20231

Sir:

Applicants are in receipt of the Notice of Abandonment dated June 20, 2001, issued on the basis that no response to the Office Action dated November 30, 2000 was filed and that the Examiner was unable to contact applicants' representative to inquire regarding same.

A response to the November 30, 2000 Office Action was filed on March 30, 2001, and a copy of it is attached hereto, along with a copy of the postcard receipt date-stamped by the U.S. Patent Office indicating receipt of same.

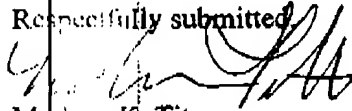
Examiner Criares telephoned the applicants' representative Marlana Titus on or about June 20, 2001, and left a detailed voicemail message indicating that no response to the November 30, 2000 Office Action was apparent. Marlana Titus returned the phone call the following day, but was unable to reach Examiner Criares in person since he had just gone on vacation. She left a detailed voicemail message stating that a response had indeed been filed.

Reissue Application 09/478,822

Upon receipt of the subject notice of abandonment, Marlana Titus contacted Examiner Criares and was told that the notice had been sent before the examiner had received her voicemail message. The Examiner stated that a letter be submitted explaining all this, and that the case would be reinstated as properly pending.

If the Examiner has any inquiries, or would like to discuss any other issue relating to this application, he is invited to contact Applicants' representative, the undersigned, at (301) 924-9600.

Respectfully submitted,

  
Marlana K. Titus  
Reg. No. 35,843

Nash & Titus, LLC  
3415 Brookeville Road  
Suite 1000  
Brookeville, MD 20833  
(301) 924-9600

Atty Docket No. ARMY 104

# MAINTENANCE FEE TRANSMITTAL FORM

Address to:  
Commissioner of Patents and Trademarks  
Box M F e  
Washington, D.C. 20231

Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).  
for the full payment of the maintenance fee(s) and any necessary

1. ☐ A check in the amount of \_\_\_\_\_ surcharge on the following patents is enclosed.
2. ☒ The Commissioner is hereby authorized to charge \_\_\_\_\_ \$850.00 to cover the payment of the fee(s). A duplicate copy of this sheet is enclosed.
3. ☒ The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 21-0380. A duplicate copy of this sheet is enclosed.

\* Information required by 37 CFR 1.366(c)(columns 1 & 5). Information requested under 37 CFR 1.366(d) (columns 2-4 & 6-9)

				08-698,896	01/01/98	08/16/96	3 1/2	No
1	5,705,197	183	850					
2								
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Sub-totals / Columns 3 & 4

\$850

Total Payment

\$850

Use additional sheets for listing additional patents.

Maintenance Fee Codes:  
183 (283 for small entity) Due at 3.5 years  
184 (284 for small entity) Due at 7.5 years  
185 (285 for small entity) Due at 11.5 years  
186 (286 for small entity) Surcharge - Late payment within 6 months  
187 Surcharge after expiration - Late payment  
188 Surcharge after expiration - Late payment

(For Office Accounting Use Only)

Payor's Signature\*\*

Payor's Name\*\* and Fee Address

Mariana Titus, Reg. No. 35,843  
for Charles H. Harris, Reg. No. 34,616  
Attorney for applicant  
U.S. Army Medical Research and Materiel Command  
ATTN: MCMR-JA  
505 Scott Street  
Ft Detrick, MD 21702-5012  
(301) 924-9600

Payor's Number (if assigned)

I certify that this document and fee is being deposited on July 2, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner of Patents and Trademarks, Box M Fee, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Mariana Titus

Printed or Printed Name of Person Mailing Correspondence

\*\*WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY CHECK, THE CHECK NUMBER AND SIGNATURE SHOULD BOTH APPEAR IN THE BOTTOM LEFT CORNER OF THIS FORM.

ON TO CHARGE A DEPOSIT ACCOUNT, PAYOR'S NAME

RECEIVED IN THE FOLLOWING PATENT APPLICATION:

Application of U.S. Serial No.: 09/478,822  
Inventors: van Hamont et al.  
Title: Hybrid Solvent Evaporation-Extraction Process for Producing PLGA Microspheres  
Filed: January 6, 2000  
Attorney Docket No.: Army-101

The following was filed via First Class Mail on March 30, 2001:

- (1) Combined Amendment Transmittal Letter and Petition for Extension of Time (large entity)(2 pages, in duplicate)
- (2) Response (3 pages)
- (3) Information Disclosure Statement transmittal sheet (2 pages, in duplicate)
- (4) Form PTO-1449
- (5) Copies of references cited on Form PTO-1449
- (6) Self-addressed postcard receipt listing all enclosures

